



## **Second Stage Consultation Paper**

### **Introduction**

The development of Scottish Labour’s manifesto is proceeding in a series of stages enabling maximum participation by our members and stakeholders. This is the Second Stage consultation paper, which considers the views submitted in the First Stage consultation and develops the ideas further.

### **Policy Aims**

Scottish Labour will rebuild communities devastated by austerity where the common good will come first. Creating the conditions in which every person can flourish and securing opportunities for those long excluded.

We will make local authorities the bedrock of our new public service framework with active citizens at the core of decision making, recognising the diversity of our communities. We will create a housing system that works for the many, not the speculators, with new homes and proper protection for tenants on a par with social housing.

Scottish Labour will take the necessary action to deliver on our climate change ambitions and protect our environment. We will support communities across Scotland in both urban and rural areas, as well as radically reforming land for the many.

Our justice policies will strengthen local policing, reform our prison system and improve access to justice for all.

### **Local Government**

Scottish Labour will make local authorities the bedrock of our new public service framework with active citizens at the core of decision making.

The SNP has starved Scottish local government of finance, dumping Tory austerity onto councils and more. It has also centralised and regionalised services reducing the power of local government to carry out its role effectively.

Scottish Labour supports the principle of subsidiarity – allocating functions at the lowest possible practical level with full powers of general competence for local authorities. We will rebuild communities devastated by austerity by developing a framework of universal basic services – strengthening the social infrastructure that minimises social isolation and builds stronger communities. Our planning legislation will strengthen the requirements on developers to fund access to public services.

Local services need additional resources, and local councils should be allowed to raise additional revenue through local taxation like the tourist tax and local environmental levies. Reformed non-domestic rates will return to local democratic control. We are participating in the cross-party review of the council tax, and we are clear that reform has to deliver a more progressive system.

Scottish Labour will develop measures that support local economies, such as rolling back privatisation through municipal socialism and community wealth building, which are being developed by Labour councils, including North Ayrshire. This includes engaging the Scottish Local Government Pension Scheme funds in local and ethical investment.

### Questions

- There have been mixed views on specific measures to encourage active citizens like participatory budgeting. How can we best revitalise local democracy and promote greater community empowerment?
- It has been suggested that there should be a 'Right to Recall' service providers who are guilty of a serious breach of trust. Would this help strengthen service delivery?
- With the development of initiatives like City Deals, what forms of regional governance are required to ensure local democratic accountability?
- In our Economy consultation, we are considering a range of levies to create a Scottish 'Commons Fund'. Should similar local levies be used to develop revitalised 'Common Good' funds?

### Fire and Justice

Scottish Labour will strengthen local policing, reform our prison system and improve access to justice for all.

The creation of Police Scotland has led to a centralisation of power in policing. Scottish Labour will place local accountability at the heart of a modern, responsive police force with a statutory role for local government in local policing plans. We will put a renewed emphasis on community policing with a balanced workforce that invests in specialist police staff to stop police officers being taken away from operational duties. This includes reducing the burdensome bureaucracy that frustrates police officers and staff.

Access to justice is a vital part of any fair and civilised society, but all too often, there are significant failings in our justice system which need reform. We will stop court fees making civil litigation the preserve of the rich and ensure Legal Aid is more widely available.

We will ensure the fire and rescue service, has the resources to carry out their demanding job of protecting all communities across Scotland, including our rural areas. We will also strengthen local accountability with a statutory role for councils in local plans.

Scottish Labour will reform our prison system, with custody used for serious crimes, not a substitute for failing mental health or drug and alcohol services. This starts with a reform of sentencing guidelines and with adequately funded, credible and robust alternatives to prison through criminal justice services. Prisons need better prevention of harm plans and improved support on release. We also favour reviewing the role of open prisons, secure care units and day custody approaches, with local custody services for women and young people in particular.

We will seek to end the privatisation of fire and justice services, including the Scottish court custody and prisoner escort service and private prisons.

The scale of the drugs crisis means that we need a new approach based on public health, not the criminal justice system. These issues are addressed further in the health paper.

Violence towards public-facing staff in the private and public sector is a growing problem. Scottish Labour introduced legislation that started to address this issue, and we will strengthen the law further with comprehensive new legislation. We will also reform the law of culpable homicide as set out in Claire Baker MSP's member's bill.

Scottish Labour will develop the gender-based violence strategy that funds prevention, supports victims, reforms sentencing and promotes greater transparency. We also note the increase in hate crime, two-thirds of which is race-related. We will support stronger measures, simplify reporting and bring all hate crime legislation together in a new Hate Crime Bill.

The Children's Hearings system is unique to Scotland, and we are justly proud of the 3,000 volunteer Area Support Team and Panel members who look after our children's best interests. We supported the increase in the age of criminal responsibility and favoured a further review once the new legislation is firmly established. We will also strengthen support for the victims of sexual abuse.

We will develop a new preventative strategy, and legislation if required, to tackle the growing issue of telephone and on-line fraud.

Scottish Labour will strengthen wildlife protection and adopt the devolved aspects of UK Labour's animal welfare manifesto. These include strengthening wildlife protection law and reforming the law on the theft of domestic pets.

### Questions

- Effective devolution of local police and fire should not be frustrated by national plans. How can we best enable local plans, including budgetary control?
- There were mixed views on reforms to the law of corroboration and the treatment of vulnerable witnesses. Are there other ideas to address these issues?
- Should police officers have similar rights to other public sector staff to participate in democratic activity?
- Would the creation of safe, secure facilities to deal with conditions such as alcohol overuse be a better approach than the current use of police cells?
- Some marches have created public order issues, particularly in Glasgow. Do local authorities require new powers to address these issues?
- In addition to reforming hate legislation, what further steps can be taken to eliminate racism and sectarianism?

### Housing

Scottish Labour will create a housing system that works for the many, not the speculators, with new homes and parity of protection for tenants. Good housing, which individuals and families can afford, underpins health and well-being and feelings of self-worth. To have a good home is a source of optimism – rather than fear and uncertainty.

Our Housing Commission report has highlighted the crisis of housing undersupply and affordability in the public and private sector - alongside a crisis of quality with space, amenity and environmental standards being progressively eroded.

Scottish Labour will eliminate the housing crisis over two parliaments. Our ten-point plan includes building 12,000 social homes a year, with parity of grant funding between councils, co-operatives and housing associations. We will develop a long-term house building strategy across all tenures, including council housing, and bring empty homes back into use, using legislation if necessary. We will also re-visit the issue of mandatory minimum space, quality standards and energy performance in new and refurbished housing as part of our strategy to eliminate fuel poverty.

Rents must be genuinely affordable to those in low paid employment, and we will establish the crucial link between rents and the ability of people to afford them. This includes our 'Mary Barbour Law', which will limit rents and strengthen regulatory protections. We will also develop a regulatory framework for short term lets, including licensing provisions for AirBnB.

Our policies will support young people, scrapping the existing 'Help to Buy' scheme and replacing it with a 'First Buy Scotland' scheme, which will target first-time buyers under 35. We aim to double the number of

young buyers in Scotland. We will also increase the allocation of social rented housing to the under 35s, providing appropriate housing for young people.

There will be a national strategy for housing and disabled persons, led by a disabled persons organisation. The strategy will include a 10% target for new social housing, built to wheelchair-accessible standards.

Scottish Labour will eliminate homelessness and will continue to work on a cross-party basis on implementation plans that include preventative action, re-housing and wrap-around support. This includes initiatives like 'Housing First' to tackle rough sleeping.

We recognise that the price of land lies at the centre of the housing crisis. We will reform the law to acquire land at existing use value, and use development gain to finance essential infrastructure. We will remove the duty on public bodies to maximise the receipts from land sales to enable the transfer of land for social housing. A new Land and Communities Development Agency will deal with derelict and vacant land and act as the prime mover in the delivery of a new generation of attractive, planned, mixed tenure communities.

#### **Questions**

- What additional actions are needed to tackle the housing crisis?
- Is there a case to discount rents for long-term tenants in retirement?

#### **Rural Affairs**

Rural communities are all too often taken for granted with chronic underinvestment in transport, broadband and public services.

Scottish Labour's investment plans include coastal protections, better flood management and the broadband and 4G extensions that will underpin the future success of rural small businesses.

Rural councils deliver public services differently, and this should be reflected in funding allocation mechanisms. We will introduce a 'rural-proofing' process so that all our laws, policies and programmes consider their impact on rural communities. Our rural policy framework will engage with all stakeholders.

Scottish Labour is committed to retaining and strengthening the Scottish Agricultural Wages Board, which is essential for setting minimum wage levels, conditions, and maintaining robust health and safety practices across farming and horticultural sectors.

Tourism remains an important industry for Scotland, and our magnificent scenery draws a large number of visitors to rural Scotland. Scottish Labour will develop a new sustainable national plan for tourism based on improving our offer to visitors while reducing resource use and waste, reducing the transport impact, protecting our natural and cultural heritage. Public money will also require improvement in the quality of jobs by raising employment standards, strengthening the quality of life in rural areas.

Going further than the Werritty report, Scottish Labour will support the licencing of driven grouse moors with robust criteria and the sustainable development of our uplands, in the interests of the many.

Scottish Labour supports the creation of a National Plan for the Islands, and we will devolve more powers to island communities in line with our subsidiarity framework. Our plan recognises the need for resources and practical action. We will also support a community-led local development programme, which echoes the LEADER ethos, to be included within the future Shared Prosperity Fund.

Our Good Food Nation plan (see food section) will support rural communities, encourage local food production and reform agricultural support on the public support for public good principle. We will also designate more National Parks with strengthened local accountability.

#### **Questions**

- How can future agricultural payments best support the development of sustainable land use and strengthen rural communities?

#### **Environment**

Scottish Labour will take the necessary action to deliver on our climate change ambitions and protect our environment. Ambition is good, but we believe it has to be backed up with clear delivery plans because investing in our environment is investing in our future. We need to defend and extend existing environmental protections, which are threatened by trade deals and corporate lobbying for deregulation.

Scottish Labour supports measures that deliver a circular economy, including obligations on the producers of waste. This includes the introduction of deposit return schemes, addressing challenges like glass. We will move towards a polycarbonate ban and requiring food manufacturers and retailers to do more to reduce waste.

We recognise that tackling air pollution involves difficult decisions, but when it contributes towards 2,500 early deaths in Scotland every year, urgent action is necessary. Our vision is for clean and fair transport systems, where public transport, walking, and cycling are valued as much as motor vehicles.

A healthy environment is a basic right which we are all entitled to, and should be able to defend. Scottish Labour sought to amend the Planning Bill to give individuals, and environmental organisations should have the right to challenge decisions that will have a severe impact on our environment. Labour will also protect our peatlands and introduce carbon impact assessments into all policy processes. We will also develop a coherent Biodiversity Action Plan for post-2020 for land, air and sea, with adequate funding, which the whole country can coalesce around before it is too late.

We will develop new preventative and planning provisions to address the causes of urban flooding and a strategy for minimising the impact.

Climate change is the biggest global issue facing our environment, and Scottish Labour amendments strengthened the new Climate Change Act. Tackling climate change demands cross-cutting action across policy portfolios. So, we will be publishing a separate consultation on this issue now the legislation has completed its parliamentary stages.

#### **Questions**

- What more can we do to enable communities to develop sustainable ways of living?
- Should we incorporate all EU environment law into a new Environment Act?
- Would a statutory Well Being of Future Generations Act, on the Welsh model, strengthen environmental governance?

#### **Social Justice and Equalities**

Scottish Labour will create the conditions in which every person can flourish, creating opportunities for those long excluded. We will act across all policy areas to ensure we reduce inequalities.

Labour is the party of equality: we will work to build a society free from all forms of sexism, homophobia, racism, anti-Semitism and Islamophobia, discrimination against disabled people and bigotry and prejudice in all their forms.

We will, therefore, strengthen the delivery of the socio-economic duty and fully incorporate human rights treaties into Scots law, with clear mechanisms for resolving problems and remedying infringements. We also support the incorporation of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

Our Good Work plan will ensure that the public sector leads by example, both directly as an employer and a funder through procurement. That includes radically improving the employment rate of disabled people, including better access to facilities, public services, work, training and apprenticeships.

We will ensure a zero-tolerance approach to violence, bullying and discrimination based on sexuality and gender in Scottish society. Labour supports the aims of the TIE campaign to develop LGBTI inclusive education in Scotland's schools. Cuts to critical services, such as Women's Aid, place vulnerable people in danger. We also recognise the need to increase awareness and strengthen staff training and fund vital services, including refuge and rape crisis services. Employers can play a role by adopting the GMB Domestic Abuse Charter.

#### **Questions**

- How can we make equality impact assessments more effective?
- What further reforms are required in the gender recognition legislation?
- How should gender data collection be reformed?

#### **Civil Society and the Third Sector**

Scottish Labour recognises the importance of a strong third sector in tackling social justice. Our vision for civil society sits alongside our plans to decentralise powers and democratise the economy. A fairer Scotland where we care about each other, where people can pool their resources, demand accountability, build institutions and influence the decisions that affect them.

Our plans for local government include rebuilding the social infrastructure that is vital for stronger communities. This includes a Right to Space to ensure communities have places to meet and funding to build the capacity to participate as active citizens. We believe giving more power to communities will help create a more preventative approach that tackles problems at source rather than merely managing them once they've happened.

Some charities have shifted their focus from advocacy to service delivery. There is an important role for social enterprise and co-operatives in our economic plans, but communities of interest and place also require strong advocates independent of government. We will encourage ideas and debate from civil society and the third sector, and never link funding to acquiescence in government policy.

We believe that charity law has not kept pace with modern developments, and charity governance needs strengthening. In particular, charities that receive public money should be required to follow Freedom of Information and procurement rules, including Good Work principles and trade union recognition.

Scottish Labour will reform charity law to help rebuild public confidence in the sector. Working with Labour at Westminster, we will aim to give charity trustees equal status to other public bodies who require time off to work to carry out duties that benefit the public.

#### **Questions**

- How can we encourage more people to offer their skills and experience to strengthen charity governance?

## Land Reform

Scottish Labour believes land wealth is as much an issue as monetary wealth being in the hands of the few. We need to ensure more land is in the hands of the many to help create a fairer sustainable Scotland.

The Land Reform (S) Act 2016 made some modest progress on land reform, but more radical measures are required. We broadly support the recommendations of the Scottish Land Commission. Scottish Labour will legislate to restrict the amount of land that one individual can own, and prevent land ownership via offshore tax havens. We will also create a public register of landowners as a necessary step to enable meaningful land reform.

Scottish Labour will develop a Community Land Fund in line with the recommendations in UK Labour's 'Land for the Many' proposals along with long-term revenue support for community buy-outs. We will use regulation and intervene when land is not used in ways that serve the public interest.

### Questions

- What further regulatory and administrative actions are required to shift the balance of land ownership and activity in Scotland?

### Making a Submission

The issues discussed in this paper are part of the second stage of our consultation process. It is not a statement of Scottish Labour policy.

Contributions and submissions are welcome. To make a submission, you can:

- Email to: [ScottishPolicyForum@labour.org.uk](mailto:ScottishPolicyForum@labour.org.uk)
- Post a submission to:  
Scottish Policy Forum  
Scottish Labour Party  
290 Bath Street  
Glasgow  
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Copies of this consultation can be downloaded from our policy development web site: [www.scotlabpolicy.org](http://www.scotlabpolicy.org)

When making a submission, it is important that you include the following information:

- Name, address, email and phone number of the submitting organisation or individual.
- Which policy consultation you are making a submission for.

The deadline for submissions for this document is **1 April 2020**.